

**AMENDMENTS TO NEW CASSEL/HICKSVILLE GROUNDWATER  
CONTAMINATION SUPERFUND SITE OPERABLE UNIT ONE UNILATERAL  
ADMINISTRATIVE ORDER FOR REMEDIAL DESIGN – INDEX NO: CERCLA-02-  
2018-2015**

1. The following are amendments to Administrative Order for Remedial Design, Index Number CERCLA-02-2018-2015 (“Order”), pertaining to the New Cassel/Hicksville Groundwater Contamination Superfund Site located in the towns of North Hempstead, Hempstead, and Oyster Bay, in Nassau County, New York. The Order was issued pursuant to Section 106(a) of the Comprehensive Environmental Response, Compensation, and Liability Act (“CERCLA”), 42 U.S.C. § 9606(a). This Order was issued on March 22, 2018, (the “Site”), and directs its Respondents to perform certain remedial design activities, including pre-design investigations for the designated Operable Unit 1 (“OU1”) at the Site.

2. The caption of the Order is hereby replaced and superseded as follows:

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IN THE MATTER OF THE NEW CASSEL/HICKSVILLE: :  
GROUNDWATER CONTAMINATION SUPERFUND :  
SITE :  
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101 Frost Street Associates, LP (and its predecessors Jerry :  
Spiegel, Pamela Spiegel Sanders as executor of the :  
last wills and testaments and duly authorized administrator :  
of the estates of Emily Spiegel and Jerry Spiegel, Lise :  
Spiegel Wilks, as executor of the last wills and testaments :  
and duly authorized administrator of the estates of Emily :  
Spiegel and Jerry Spiegel, Pence Construction Corp., :  
Bancroft Construction Corp., and K.B. Co.), 570 :  
Properties, Inc., Arkwin Industries, Inc., Atlas Graphics, :  
Inc., Barouh Eaton Allen Corp., Grand Machinery :  
Exchange, Inc., HDP Printing Industries, Corp., IMC :  
Eastern Corp. (f/k/a IMC Magnetics Corp.), Island :  
Transportation Corp., Nest Equities, Inc., Next Millennium :  
Realty, LLC, (and its predecessors Jerry Spiegel, Pamela :  
Spiegel Sanders as executor of the last wills and testaments :  
and duly authorized administrator of the estates of Emily :  
Spiegel and Jerry Spiegel, Lise Spiegel Wilks, as executor :  
of the last wills and testaments and duly authorized :  
administrator of the estates of Emily Spiegel and Jerry :  
Spiegel, Pence Construction Corp., Venimore Building :  
Corp., and Emily Spiegel as trustee under an agreement :  
dated July 18, 1968, for the benefit of Pamela Spiegel and :  
Lise Spiegel), Patel Trust July 29, 1977, Tishcon :  
Corporation, Utility Manufacturing Co., Inc., and William :

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Gross, :

Respondents. :

Proceeding under Section 106(a) of the Comprehensive :  
 Environmental Response, Compensation, and Liability Act, :  
 of 1980, as amended, 42 U.S.C. §9606(a). :

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3. In Section III, Paragraph 7, the definition of "Eastern Plume Group Respondents" is replaced and superseded as follows:

"Eastern Plume Group Respondents" shall mean Respondents Nest Equities, Inc., Next Millennium Realty, LLC (and its predecessors Jerry Spiegel, Pamela Spiegel Sanders as executor of the last wills and testaments and duly authorized administrator of the estates of Emily Spiegel and Jerry Spiegel, Lise Spiegel Wilks as executor of the last wills and testaments and duly authorized administrator of the estates of Emily Spiegel and Jerry Spiegel, Pence Construction Corp., Venimore Building Corp., and Emily Spiegel as trustee under an agreement dated July 18, 1968, for the benefit of Pamela Spiegel and Lise Spiegel), 101 Frost Street Associates, LP (and its predecessors Jerry Spiegel, Pamela Spiegel Sanders as executor of the last wills and testaments and duly authorized administrator of the estates of Emily Spiegel and Jerry Spiegel, Lise Spiegel Wilks as executor of the last wills and testaments and duly authorized administrator of the estates of Emily Spiegel and Jerry Spiegel, Pence Construction Corp., Bancroft Construction Corp., and K.B. Co.), and Utility Manufacturing Co., Inc.

4. In Section III, Paragraph 7, the definition of "Respondents" is replaced and superseded as follows:

"Respondents" shall mean 101 Frost Street Associates, LP (and its predecessors Jerry Spiegel, Pamela Spiegel Sanders as executor of the last wills and testaments and duly authorized administrator of the estates of Emily Spiegel and Jerry Spiegel, Lise Spiegel Wilks as executor of the last wills and testaments and duly authorized administrator of the estates of Emily Spiegel and Jerry Spiegel, Pence Construction Corp., Bancroft Construction Corp., and K.B. Co.), 570 Properties, Inc., Arkwin Industries, Inc., Atlas Graphics, Inc., Barouh Eaton Allen, Corp., Grand Machinery Exchange, Inc., HDP Printing Industries, Corp., IMC Eastern Corp. (f/k/a IMC Magnetics, Corp.), Island Transportation Corp., Nest Equities, Inc., Next Millennium Realty, LLC (and its predecessors Jerry Spiegel, Pamela Spiegel Sanders as executor of the last wills and testaments and duly authorized administrator of the estates of Emily Spiegel and Jerry Spiegel, Lise Spiegel Wilks as executor of the last wills and testaments and duly authorized administrator of the estates of Emily Spiegel and Jerry Spiegel, Pence Construction Corp., Venimore Building Corp., and Emily Spiegel as trustee under an agreement dated July 18, 1968, for the benefit of Pamela Spiegel and Lise Spiegel), Patel Trust July 29, 1977, Tishcon Corp., Utility Manufacturing Co., Inc., and William Gross.

5. Section IV, Paragraph 29 is replaced and superseded as follows:

Respondent 101 Frost Street Associates, LP, a limited partnership organized under the laws of the State of New York, is the current owner of a facility located at 101 Frost Street Associates, Westbury, New York at which, among other things, TCE and PCE were disposed, and thus it is a responsible party within the meaning of Section 107(a)(1) of CERCLA, 42 U.S.C. § 9607(a)(1). Predecessors Jerry Spiegel, Pamela Spiegel Sanders as executor of the last wills and testaments and duly authorized administrator of the estates of Emily Spiegel and Jerry Spiegel, Lise Spiegel Wilks as executor of the last wills and testaments and duly authorized administrator of the estates of Emily Spiegel and Jerry Spiegel, Pence Construction Corp., Bancroft Construction Corp., and K.B. Co. were each an owner at the time of disposal at a facility located at 101 Frost Street, Westbury, New York, at which, among other things, TCE and PCE were disposed, and they are therefore responsible parties within the meaning of Section 107(a)(2) of CERCLA, 42 U.S.C. § 9607(a)(2).

6. Section IV, Paragraph 39 is replaced and superseded as follows:

Respondent Next Millennium Realty, LLC, a limited liability company organized under the laws of the State of New York, is the current owner of facilities located at 89 Frost Street, Westbury, New York, and 770 Main Street, Westbury, New York, at which PCE and TCE were disposed, respectively, and thus it is a responsible party within the meaning of Section 107(a)(1) of CERCLA, 42 U.S.C. § 9607(a)(1). Respondents Jerry Spiegel, Pamela Spiegel Sanders as executor of the last wills and testaments and duly authorized administrator of the estates of Emily Spiegel and Jerry Spiegel, Lise Spiegel Wilks as executor of the last wills and testaments and duly authorized administrator of the estates of Emily Spiegel and Jerry Spiegel, and Pence Construction were owners at the time of disposal at the 89 Frost Street, Westbury, New York facility at which PCE and TCE were disposed, and thus they are responsible parties within the meaning of Section 107(a)(2) of CERCLA, 42 U.S.C. § 9607(a)(2). Additionally, Respondents Jerry Spiegel, Pamela Spiegel Sanders as executor of the last wills and testaments and duly authorized administrator of the estates of Emily Spiegel and Jerry Spiegel, Lise Spiegel Wilks as executor of the last wills and testaments and duly authorized administrator of the estates of Emily Spiegel and Jerry Spiegel, Pence Construction Corp., Venimore Building Corp., and Emily Spiegel as trustee under an agreement dated July 18, 1968, for the benefit of Pamela Spiegel and Lise Spiegel, were each an owner at the time of disposal at the 770 Main Street, Westbury, New York facility at which, among other things, TCE and PCE were disposed, and they are responsible parties within the meaning of Section 107(a)(2) of CERCLA, 42 U.S.C. § 9607(a)(2).

It is so ORDERED.

BY:



John B. Prince, Acting Director  
Emergency and Remedial Response Division, Region 2  
U.S. Environmental Protection Agency

DATE: 5.17.18

